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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) <u>RSW920030279251</u>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ Signature _____ Typed or printed name _____		Application Number <u>10/721,819</u>	Filed <u>11/24/2003</u>
		First Named Inventor <u>Daniel</u>	
		Art Unit <u>2143</u>	Examiner <u>Jean-Gilles</u>
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p>			
I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) <input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>37,720</u> <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____		<div style="text-align: center;"> <u>Rudolf O. Siegesmund</u> Signature </div> <div style="text-align: center;"> <u>Rudolf O. Siegesmund</u> Typed or printed name </div> <div style="text-align: center;"> <u>214-231-4703</u> Telephone number </div> <div style="text-align: center;"> <u>November 27, 2003</u> Date </div>	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			
<input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.			

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re Daniel et al.) Serial No. 10/721,819
)
Applicant,) Docket No. RSW920030279US1
)
For: Tool for Displaying JMX Monitoring Information) Art Unit 2143
)
) Confirmation No. 6264
)
Filed: 11/24/2003) Examiner Jean-Gilles

REQUEST FOR PRE-APPEAL BRIEF REVIEW STATEMENT

November 27, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant appeals from the final rejection mailed by the examiner on September 25, 2007, and requests consideration of the following Pre-Appeal Brief Review Statement.

PRE-APPEAL BRIEF REVIEW STATEMENT

The examiner rejected claims 1-20 (sic) under 35 USC §102(e) as being anticipated by Reddy et al. (US 6,941,349). For the reasons set forth below, the cited art fails to teach each and every element as set forth in the claim.

Claim 1 recites “receiving a request for a web page containing the status of a plurality of system components.” The Examiner cites to *Reddy* paragraph [0018] as teaching these limitations. Applicant notes the cited paragraph merely teaches the use of servlets that receive commands, yet is silent to “receiving a request for a webpage,” much less a “webpage containing the status of a plurality of system components,” as set forth in the claim.

Claim 1 also recites “generate a plurality of image tags, each corresponding to one of the components and pointing to an instance of a second servlet.” The Examiner cites to *Reddy* paragraphs [0018]-[0019] as teaching these limitations. Applicant notes the cited paragraphs are silent to generating an “image tag,” much less “a plurality of image tags,” as set forth in the claim. Further, even if *Reddy* were interpreted as teaching image tags, which Applicant does not concede, *Reddy* still fails to teach tags “corresponding to one of the components and pointing to an instance of a second servlet,” as it is silent to these limitations. Furthermore, Applicant notes that by not teaching these limitations, *Reddy*'s system suffers from the same issues identified in the Background of the instant Application. Namely, *Reddy*'s system would suffer from delays created by waiting for responses from all the system components before providing a web page to the user's browser. *See* Specification [0004].

Claim 1 also recites “first servlet operable to: generate a plurality of image tags, each corresponding to one of the components and pointing to an instance of a second servlet,” i.e., a first servlet generates image tags that point to second servlets. The Examiner appears to interpret *Reddy*'s multiple servlet engines 64 as meeting these limitations. Applicant respectfully

disagrees, noting that while *Reddy* does teach multiple servlet engines 64 (as seen in *Reddy's* domains 30a-30n of Figure 2), *Reddy* fails to teach a servlet generating tags pointing to another servlet. In other words, *Reddy* fails to teach and is silent to, for example, a servlet within domain 30a generating tags pointing to a servlet within domain 30n.

Claim 1 also recites “transmitting requests to the instances of the second servlet substantially in parallel.” The Examiner cites to *Reddy* Figure 2, elements 30a-30n and 64 as teaching these limitations. The cited portion of *Reddy* merely teaches its portal 20 may communicate with multiple domains 30a-30n, yet fails to disclose requests being transmitted “substantially in parallel,” as set forth in the claim. *Reddy* is silent to this limitation.

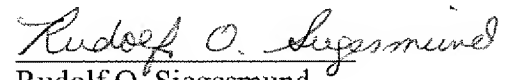
Claim 1 also recites “generating an image comprising the returned value” and “transmitting the image to the browser.” The Examiner cites to *Reddy* paragraphs [0024] and [0026] as teaching these limitations. *Reddy* teaches notifications are sent to a web browser, which may then may be modified for display (e.g., converted to a graphical format). *Reddy* [0026]. Hence, *Reddy*, at best, teaches sending a notification to a browser and then modifying the notification into a graphical format, yet fails to teach modifying the notification into a graphical format and then sending the graphically formatted notification to the browser.

Thus, the cited fails to teach each and every element as set forth in the claim. Therefore, Applicant respectfully requests that the rejection be withdrawn.

Independent claims 3 and 5 comprise limitations similar to those of claim 1, which, as discussed above, are not taught by the cited art. Therefore, Applicant respectfully requests that the rejection be withdrawn.

Claims 2, 4, and 6 each depend from and inherit all the limitations of one of claims 1, 3, or 5. As discussed above the cited art does not teach each and every element of claims 1, 3, and 5. Therefore, Applicant respectfully requests that the rejection be withdrawn.

Respectfully submitted,



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